

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JEREMY TORRUELLA BEY,

Plaintiff,

Case No. 18-cv-2013-bhl

v.

DEPUTY Z BRUCHMAN, et al.,

Defendants.

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**ORDER DISMISSING CASE WITHOUT PREJUDICE**

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The plaintiff, Jeremy Torruella Bey, filed his *pro se* complaint and motion for leave to proceed without prepayment of the filing fee on December 21, 2018. ECF No. 1, 2. Notwithstanding the payment of any portion of the filing fee, the court must dismiss without prejudice a complaint filed *in forma pauperis* if the court determines that “the action ... is frivolous or malicious; fails to state a claim on which relief may be granted; or seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. §1915(e)(2).

An action is considered legally frivolous when “it lacks an arguable basis in law or in fact.” *Denton v. Hernandez*, 504 U.S. 25, 31 (1992) (quoting *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)). The “term ‘frivolous,’ when applied to a complaint, embraces not only the inarguable legal conclusion, but also the fanciful,” “fantastic,” or “delusional” factual allegations. *Neitzke*, 490 U.S. at 325, 328. “A finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them.” *Denton*, 504 U.S. at 33.

In his five-page complaint, Torruella Bey describes himself as an “Aboriginal Indigenous Moorish-American” and as a member of the Moorish National Republic, a little-known but litigious sovereign citizen movement. *See Bey v. State*, 847 F.3d 559 (7th Cir. 2017). Torruella Bey cites sections of the U.S. Code, several articles from “The Treaty of Peace and Friendship of 1836 A.D. Between Morocco and the United States,” and a wide range of state and federal

caselaw while providing only a single, two-sentence paragraph of “Facts” discussing the defendants’ allegedly violative conduct:

On Wednesday 12/19/2018 at 04:19 pm while traveling I was stopped by Deputy Z. Brucham I.D. 116 of the Milwaukee County Sheriff’s Office flashed his lights on my East West Freeway 94. He explained the reason he pulled me over was for no plates I told him I wasn’t a Driver for hire that I was a traveler and handed him over some Identification, he grab my VIN and came back with another officer who didn’t Identify himself and explained he was going to steal my property and violate my bill of rights and right to travel, his officer forced his way into my property and removed me from my personal property and searched my automobile he was using coercion and duress and never once ID himself nor did the other Sheriff that arrived as well, N&S Towing came to Tow my automobile then Deputy Z. Bruchman I.D 116 Milwaukee County Sheriff’s Office dropped me off at a gas station and issued a citation issued to JEREMY JACOB TORRUELLA citation # BB528559-3 total cost of damages are \$200.00.

Like the rest of the complaint, the paragraph of “Facts” contains an incomprehensible mix of legal buzz words and nonstandard descriptions but seems to describe a routine traffic stop. The attachments to Torruella Bey’s complaint confirm that Torruella Bey was pulled over for driving with a suspended driver’s license. *See* Wis. Stat. §343.11(1)(A).

Taken as a whole, Torruella Bey’s complaint is delusional, fanciful, and incredible, and lacks an arguable basis in law and in fact. It will therefore be dismissed, and Torruella Bey’s motion to proceed *in forma pauperis* will be denied as moot. Accordingly,

**IT IS HEREBY ORDERED** that this case is **DISMISSED without prejudice**.

**IT IS FURTHER ORDERED** that the plaintiff’s motion for leave to proceed without prepayment of the filing fee, ECF No. 2, is **DENIED as moot**.

SO ORDERED on October 9, 2020.

s/ Brett H. Ludwig  
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BRETT H. LUDWIG  
United States District Judge